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10/021,034	12/19/2001	Sharon A. Krueger	D/A0653Q	9510

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Patent Documentation Center
Xerox Corporation
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100 Clinton Ave. S.
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EXAMINER

TEACHEY, ROBERT

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/021,034	Applicant(s) KRUEGER ET AL.	
	Examiner Robert Teachey	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1- 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1–8 are pending.

Specification

2. The disclosure is objected to because of the following informalities:

It is unclear whether “an input device to first set of color” on page 2 line 29 is the same as “an input device to assign a first set of color”.

Appropriate correction is required.

Claim Objections

3. Claim 1 objected to because of the following informalities:

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In line 1 of the claim "rendering parameters a single page basis" should be changed to "rendering parameters on a single page basis". Appropriate correction is required.

In line 8 of the claim the first occurrence of "the second set of" should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 3, 4, 7 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 3 recites the limitation "color controls" in line 1 of the claim. There is insufficient antecedent basis for this limitation in the claim.
7. Claim 7 recites the limitation "the job" in lines 6 and 7 of the claim. There is insufficient antecedent basis for this limitation in the claim.
8. It is unclear how the "input device" in line 5 of claim 7 is connected to the other elements in the claim.
9. Claims 4 and 8 are rejected for depending on claims 3 and 7.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1, 2, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Billow et al. (hereinafter referred to as Billow) (U.S. Patent Application Publication 2005/0141008) in view of Murray (U.S. Patent Application Publication 2002/0075505).

With respect to claim 1 Billow discloses a method for applying rendering parameters to enable rendering of image data associated with a job comprising the steps of: providing a plurality of color space transformation profiles (paragraph 0024 lines 6-11, paragraph 0048 lines 1-12); assigning a first set of color processing options to a first group of pages in the job (paragraph 0036 lines 4-12); assigning a second set of color processing options to a second group of pages in a job, the second set of color processing options identifying a color space transformation profile (paragraph 0036 lines 12-13); receiving a page of image data to be rendered (paragraph 0035 lines 1-4); selecting a color space transformation profile for the received page of image data based on the second set of color processing options (paragraph 0036 lines 13-15); and applying the selected color space transformation profile to render the page of image data (paragraph 0049 lines 10-12).

The method disclosed by Billow differs from claim 1 in that it does not provide for applying individualized rendering parameters on a single page basis to enable rendering of image data associated with a job having a plurality of pages.

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Murray discloses a method for applying individualized rendering parameters on a single page basis to enable rendering of image data associated with a job having a plurality of pages (paragraph 0085 and lines 5-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have modified Billow wherein Billow's method is applied to individualized rendering parameters on a single page basis to enable rendering of image data associated with a job having a plurality of pages. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Billow by the teaching of Murray in order to reliably print jobs exploiting the capabilities of the print system and to minimize waste and downtime by verifying that the document does not contain duplicate pages, the document is not missing pages, and the pages of the document are in the proper order (given the express suggestion of Murray paragraph 0008 lines 3-4, paragraph 0009 lines 13-15).

With respect to claim 2 Billow differs from claim 2 in that Billow does not disclose the rendering of image data on a xerographic printing device using the selected color space transformation profile.

Murray discloses the rendering of image data on a xerographic printing device using the selected color space transformation profile (paragraph 0004 lines 3-7).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have modified Billow wherein the rendering of image data on a xerographic printing device using the selected color space transformation profile. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Billow by the teaching of Murray so that Billow's invention could be utilized on any well-known computer system, such a personal computer, with any well-known printer using well-known printer media (given the express suggestion of Billow paragraph 0019 lines 2-5).

12. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Billow in view of Murray. Claims 7 and 8 arguments are analogous to those presented for claims 1 and 2 therefore the arguments presented for claims 1 and 2 are applicable.

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Billow in view of Murray as applied to claim 1 above, and further in view of Lapstun et al. (hereinafter referred to as Lapstun) (U.S. Patent Application Publication 2004/0046971)

With respect to claim 3 and 4, Billow as modified differs from claims 3 in that Billow does not disclose that the second set of color controls identifies a color space transformation profile to use with the front side of a media and a color space transformation profile to use with the back side of a media, Billow as modified differs from claims 4 in that Billow does not disclose the step of identifying a media side onto which the image data will be rendered.

Lapstun discloses that the second set of color controls identifies a color space transformation profile to use with the front side of a media and a color space transformation profile to use with the back side of a media (paragraph 0581 lines 12-14 and paragraph 0357 lines 8-9) and the step of identifying a media side onto which the image data will be rendered (paragraph 0357 lines 8-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have modified Billow as modified wherein the second set of color controls identifies a color space transformation profile to use with the front side of a media and a color space transformation profile to use with the back side of a media, and the step of identifying a media side onto which the image data will be rendered. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Billow as modified by the teaching of Lapstun so that Billow's invention could render image data on the front and back sides of the media.

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Billow in view of Murray as applied to claim 1 above, and further in view of Balonon-Rosen et al. (hereinafter referred to as Balonon-Rosen) (U.S. Patent 6,307,961)

With respect to claim 5 and 6, Billow as modified discloses that the second set of color processing options further identifies one color space adjustment attribute (paragraph 0036 lines 15-24), Billow differs from claim 6 in that Billow does not disclose that the color space adjustment attribute includes at least one color attribute selected from lightness, contrast, color cast, and saturation.

Balonon-Rosen discloses that the color space adjustment attribute may include at least one color attribute selected from lightness, contrast, color cast, and saturation (column 2 lines 13-41).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have modified Billow as modified wherein the second set of color processing options further identifies one color space adjustment attribute and the color space adjustment attribute includes at least one color attribute selected from lightness, contrast, color cast, and saturation. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Billow as modified by the teaching of Balonon-Rosen so that Billow's invention would maintain color appearance between devices (given the express suggestion of Balonon-Rosen column 1 lines 61-63).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Teachey whose telephone number is 571-272-2906. The examiner can normally be reached Monday through Friday from 8:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER